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SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

SUMMARY RECORD OF THE 1454th MEETING*

Held at Headquarters, New York,
on Friday, 16 February 1996, at 10 a.m.

Temporary Chairman: Mr. GHAREKHAN
(Under-Secretary-General,
Special Adviser to the
Secretary-General)

Chairman: Mr. BANGURA (Sierra Leone)

CONTENTS

OPENING OF THE SESSION BY THE REPRESENTATIVE OF THE SECRETARY-GENERAL

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CONTENTS (continued)

ADOPTION OF THE AGENDA

ELECTION OF OFFICERS

ORGANIZATION OF WORK

The meeting was called to order at 10.40 a.m.

OPENING OF THE SESSION BY THE REPRESENTATIVE OF THE SECRETARY-GENERAL

1. The TEMPORARY CHAIRMAN, speaking on behalf of the Secretary-General, said that in the wake of the fiftieth anniversary of the United Nations and the thirty-fifth anniversary of the establishment of the Committee, the Committee's continuing endeavours served as a reminder to the international community that the task of decolonization was not yet at a complete end. The Committee had acquitted itself with great distinction in carrying out the tasks entrusted to it by the General Assembly in 1961, and its successes had changed the international landscape. It was as a result of its work that many member States had joined the United Nations. Over the years, the Committee's relentless efforts to ensure that the peoples of the Non-Self-Governing Territories exercised their inalienable right of self-determination had stood as a beacon of hope for the peoples of those Territories.

2. The Committee's initial task had been daunting in its immensity; it had been to ensure that the principles embodied in Chapter XI of the Charter and in General Assembly resolutions 1514 (XV) and 1541 (XV) were applied in all Non-Self-Governing Territories. Guided by the purposes and principles of the Charter of the United Nations and on the basis of the principles of fundamental human rights, including the right to self-determination, the Committee had been most successful in discharging those responsibilities over the years. At a time of increasing difficulty for the United Nations, the Committee had made an important contribution to the field of decolonization.

3. There remained 17 Non-Self-Governing Territories, all of which enjoyed the inalienable right to self-determination; their options included independence, free association with another State or integration with another State, as set forth in General Assembly resolution 1541 (XV). Not all of those Territories were in the same category. The great majority were small island Territories which suffered from various handicaps including limited size, remoteness, vulnerability to natural disasters, lack of natural resources and migration of skilled personnel. In recognition of that fact, the General Assembly had asked the Committee to pay particular attention to the small Territories in order to promote practical, economic and social conditions conducive to the exercise of their right to self-determination. To that end, it was of vital importance that there should be constructive cooperation between the Committee and the administering Powers and regular contacts between the Committee and representatives of the Non-Self-Governing Territories in order to accelerate the process of self-determination, so that the Committee could keep itself informed of the situation in the Territories and work with the administering Powers in a spirit of cooperation to achieve the goal of eradicating colonialism by the year 2000. He urged all concerned, including specialized agencies and institutions of the United Nations and various regional organizations, to provide all necessary assistance to those Territories. At the same time, he called attention to the need for support from all concerned for the United Nations Mission for the Referendum in Western Sahara in the execution of its mandate with regard to Western Sahara, the largest Territory that remained on the Committee's agenda. Such support would be essential in order to overcome

existing obstacles to the holding of a free and fair referendum in the Territory.

4. He was glad to note that in 1995 the Committee, conscious of the changes both in the world situation and in the financial position of the United Nations, had demonstrated a practical and flexible approach to its work. Regrettably, the recent aggravation of the financial crisis obliged him to urge members of the Committee to exercise maximum restraint and economy in the use of the resources allocated to it in the programme budget for the current biennium.

5. He attached great importance to the work of the Committee and assured it of his full cooperation in its efforts to achieve the goals set for it by the General Assembly.

ADOPTION OF THE AGENDA

6. The agenda was adopted.

ELECTION OF OFFICERS

7. Mr. Bangura (Sierra Leone) was elected Chairman, Mr. Rodriquez Parrilla (Cuba) and Mr. Samana (Papua New Guinea) were elected Vice-Chairmen and Mr. Al-Attar (Syrian Arab Republic) was elected Rapporteur by acclamation.

8. Mr. Bangura (Sierra Leone) took the Chair.

9. The CHAIRMAN said that, on the thirty-sixth anniversary of the adoption by the General Assembly of the Declaration on the Granting of Independence to Colonial Countries and Peoples, and at the mid-point of the International Decade for the Eradication of Colonialism, the Committee looked forward to working out ever more realistic and effective solutions to the problems of decolonization. Acting within constitutional limits, it would strive to create widespread awareness of the mandate entrusted to it so as to produce tangible results. The Committee would continue to provide encouragement and support to the peoples of the Non-Self-Governing Territories to freely determine their political status. It would not flinch from its responsibility of monitoring political, economic and social developments in the Non-Self-Governing Territories in its usual thorough and in-depth manner.

10. Following the attainment of independence by the great majority of colonies, the traditional concept of colonialism had been relegated to second place. Nevertheless, there were still 17 Non-Self-Governing Territories, many of them small islands, and the Committee, the international community and governmental and non-governmental organizations, must unite their efforts to help the peoples of those Territories exercise their right to self-determination with full knowledge of the range of political options available to them. As long as there were Non-Self-Governing Territories and peoples which had not had an opportunity to exercise their inalienable right to self-determination, the Committee's task remained unfinished; the suggestion that the era of colonialism was over could not be accepted. The Committee would continue to strive to formulate appropriate measures, paying particular attention to any problems which might

hinder the advancement of the peoples of those Territories to self-determination and independence.

11. The Committee would continue to keep its approach and method of work under constant review in order to adjust to the changing circumstances and improve its efficiency as a natural corollary to recent developments in international relations. In recent years the Committee had demonstrated a practical and flexible approach to its work, as evidenced in its report to the General Assembly. At the same time, it was not losing sight of the interests and welfare of the peoples of the Non-Self-Governing Territories, which always remained paramount. To that end, the Committee would continue to seek the cooperation of the administering Powers. The decolonization process would be greatly enhanced if the Committee received full cooperation from the administering Powers concerned, in conformity with their responsibilities under the Charter. Regular contacts and consultation between the Committee and the permanent missions of the administering Powers in New York would further expedite the work of decolonization. In view of the target set by the United Nations of eradicating colonialism by the year 2000, he urged the specialized agencies and other organizations of the United Nations system to formulate, in collaboration with the regional organizations, programmes that would promote the economic and social development of the peoples concerned so that they would be able to determine their political status.

12. The Committee would do its utmost to achieve economy in its activity in whatever manner it could, without detriment to the interests of the peoples of the Non-Self-Governing Territories. It would hold as many informal consultations as possible in order to reduce the number of regular meetings.

ORGANIZATION OF WORK

13. The CHAIRMAN drew attention to documents A/AC.109/L.1840 and A/AC.109/L.1841.

14. Mr. CHTCHERBAK (Russian Federation) suggested that the Committee should hold a meeting of its working group to undertake a broad consideration of its methods of work, taking into account the current financial crisis of the United Nations and the appeals by the Secretary-General to Member States and to the Committee to achieve maximum economy. The Committee secretariat and the Department of Administration and Management should be requested to prepare suggestions on possible savings, to be taken up by the Working Group.

15. His delegation proposed that the Committee should hold its next session in May, rather than later in the year, so that it would be able to prepare its report more thoroughly and so as to enable Member States to formulate their views on the report and discuss them with members of the Committee. That would avoid the problems which had arisen in the Special Political and Decolonization Committee and at the plenary meeting of the General Assembly at the fiftieth session.

16. Mr. JENIE (Indonesia) said that for many years the Committee had been subjected to a continuing debate on a non-issue that should never have been placed on its agenda. The people of East Timor had exercised their right of

self-determination and had achieved their independence through integration with Indonesia in compliance with General Assembly resolutions 1514 (XV), 1541 (XV) and 2625 (XXV). The consideration of the item contributed nothing to the ongoing dialogue between Indonesia and Portugal under the auspices of the Secretary-General and could undermine the Secretary-General's efforts to seek a just, comprehensive and internationally acceptable solution to the question. During the talks held between the Foreign Ministers of Indonesia and Portugal in May 1994, both sides had agreed on the need to exercise restraint in the interests of maintaining a favourable atmosphere for further progress towards achieving a comprehensive solution of the question. The second round of talks, initiated on 16 January 1996, had entered a crucial phase in which substantive issues relating to the eventual framework for the achievement of a solution were being discussed, along with related issues including the preservation and promotion of the cultural identity of the people of East Timor and bilateral relations between Indonesia and Portugal.

17. The next round of meetings between the two Foreign Ministers was scheduled to begin on 27 June 1996. Indonesia had consistently demonstrated its good faith by extending its full cooperation to the Secretary-General. His delegation therefore objected to the inclusion of the item in the Committee's agenda.

18. Mr. NUÑEZ (Cuba) said that the Committee's work in 1996 was of crucial importance; it was unacceptable that there was still such a long list of Non-Self-Governing Territories as the end of the International Decade for the Eradication of Colonialism approached. The Committee's work must therefore continue at the appropriate level. In recent months some ideas had emerged in the context of the restructuring of the United Nations that would diminish the importance of the Committee's work or even result in the abolition of the Committee. The programme of work was the best proof that much remained to be done; it referred to 17 Non-Self-Governing Territories, and to other Territories where the desire for independence was strong, for example Puerto Rico. It also referred to military and economic activities of the colonial Powers which were impeding the process of decolonization.

19. In Cuba's view, as long as there were people claiming the right of self-determination and independence and petitioners wishing to be heard by the Committee, the Committee had important work to do; it was therefore necessary to increase the resources available to it. Administering Powers must also enable the Committee to send missions to Territories which it had not yet been able to visit. The Committee had clearly demonstrated its flexibility; it was to be hoped that the administering Powers would show the same flexibility.

20. His delegation preferred to maintain the Committee's session in August, particularly since that was a time when petitioners could most easily travel to New York. Any decision taken must take into account the need to maintain the number of the Committee's sessions and the level of Secretariat services.

21. Mr. GAMITO (Portugal), speaking at the invitation of the Chairman, said that East Timor was a Non-Self-Governing Territory as established by the General Assembly in resolution 1514 (XV) and by virtue of that status the question of East Timor had always been on the Committee's agenda. Every year, there had

been a debate in the Committee and the Secretary-General had requested his Government to provide information in accordance with Article 73 e of the Charter. His Government had always complied with that request, which confirmed its status as the administering Power of East Timor even though it was being impeded from effectively exercising its administration. Portugal had always cooperated actively with the Committee and fully recognized the Committee's competence and the importance of its role in the question of East Timor.

22. The postponement of the debate on the question of East Timor at past sessions of the General Assembly and of the Committee had never led to the removal of the item from the agenda. The Committee had included the item in its agenda, as in previous years; the item was included in the provisional agenda for the fifty-first session of the General Assembly, and the Committee was to prepare a report for consideration at that session.

23. The decolonization of East Timor was not complete; at a time when talks were proceeding under the auspices of the Secretary-General, any alteration of the framework of the talks would interfere with the exercise of the mandate entrusted to the Secretary-General. Portugal was firmly committed to supporting his efforts, and those of the Committee.

24. Mr. SAMANA (Papua New Guinea) said that, given the pressure on resources, the current stage of the Committee's work was crucial in serving the interests of peoples in the remaining Non-Self-Governing Territories. In the process of rationalizing its work in the face of dwindling resources, however, the United Nations must not undermine the Committee's mandate and therefore the trust of the people who looked to its moral authority to protect their rights.

25. To assist in confronting the financial difficulties, he proposed that consideration should be given to integrating the work of the Special Committee and the Subcommittee on Small Territories, Petitions, Information and Assistance. The list of remaining Territories should also be reviewed, and more resources and effort should be concentrated in the areas where goals could realistically be met by the year 2000.

26. Mr. JENIE (Indonesia) said that Portugal asserted that it was the administering Power for East Timor, but it had failed to take note of the historical facts of the decolonization process. Portugal had abandoned the Territory in 1975, leaving it on the verge of civil war, and thus had relinquished its rights as administering Power. The people of East Timor had then exercised their right of self-determination by becoming part of Indonesia.

27. Mr. GAMITO (Portugal) said that the international community had never recognized the current situation in East Timor, and the process of self-determination had not been completed in accordance with the United Nations principles. Therefore, the Committee still had a mandate to address the issue.

28. Mr. AL-ATTAR (Syrian Arab Republic) said that, in order to meet the goal of eradicating colonialism by the year 2000, the Committee must rationalize its work during the current session so that, in the short time remaining before the end of the International Decade for the Eradication of Colonialism, it could complete that great achievement for the United Nations.

29. Mr. JENIE (Indonesia) said that members would recall that in 1982, the last time a resolution on East Timor had come to a vote in the General Assembly, only 50 had voted in favour, with 90 opposed. That result reflected a trend in voting patterns since the item was first introduced in 1975. Support for Portugal's position had dropped steadily as understanding of the true nature of the situation had increased.

30. Mr. GAMITO (Portugal) said that, nevertheless, the many General Assembly and Security Council resolutions gave the Committee a clear mandate to address the issue.

31. Mr. SAMADI (Islamic Republic of Iran) said, with regard to the proposal of the Russian Federation that the Committee should hold its session in May, that the meetings should be held at a time convenient for petitioners, but efforts should also be made to avoid overlap with meetings of other groups concerned with Fourth Committee issues, such as the Committee on Information.

32. Mr. VISWANATHAN (India) said that he had taken careful note of the message from the Secretary-General, who, during the fiftieth anniversary celebrations, had highlighted the work of the Special Committee as one of the important achievements of the United Nations as a whole.

33. At the previous session, the Committee's new flexible and practical approach had been well received by the administering Powers, and at the current session, it should build on those positive signals to seek their further cooperation. In his view, the Committee should set priorities, taking into account the different levels of development among the Non-Self-Governing Territories. The Committee must also innovate: the end of the decolonization process was approaching, but the new realities at the United Nations, along with its financial situation and changing priorities, must be taken into account.

34. The current session would be an appropriate time for a mid-term review of the International Decade for the Eradication of Colonialism. Looking at the Committee's achievements in perspective could give new impetus towards its goal. One weakness in the implementation of its mandate was a lack of appropriate information. Given the constraints under which the Secretariat was currently operating, the Committee should seek ways to gather information through regional or non-governmental organizations, which were becoming increasingly active in the United Nations system. Economy, however, should not become a code word for undermining the effective implementation of the Committee's mandate.

35. He favoured holding the Committee's session during the summer, which would probably be more convenient for petitioners, whose input was of primary importance.

36. Ms. YAO Yuhua (China) said that her Government would continue its commitment to the decolonization process. The remarkable achievements in that process had been recognized in recent years, but continued efforts would be required to complete it by the year 2000.

37. Mr. CHTCHERBAK (Russian Federation) said that he had suggested that the Committee's session should be held earlier than usual in order to increase its

effectiveness. Allowing more time between the Committee's session and that of the Special Political Committee would provide an opportunity for the latter to study any resulting proposals and recommendations in greater detail, thus achieving broader consensus. An earlier session would also have advantages from a budgetary standpoint. As for petitioners, he saw no direct linkage between their attendance and the scheduling of the session. Perhaps the month of June would be the most appropriate timing.

38. Mr. DOUDECH (Tunisia) said that, as a supporter of the rationalization of work, he seconded Papua New Guinea's proposal to integrate the work of the Subcommittee with that of the Committee by making the periods of their meetings coincide more closely. Such coordination would have two advantages: the Committee would be more fully prepared for in-depth consideration of its agenda; and petitioners would be able to be present when issues of interest to them were being discussed. Perhaps an informal meeting of an open-ended working group could be held to work out the details of the scheduling of meeting times.

39. The CHAIRMAN said that he took it there was general agreement on the proposal in document A/AC.109/L.1841, paragraph 1, that the Committee should maintain its Working Group and its Subcommittee on Small Territories. With regard to the proposal to integrate the Subcommittee and the Committee, he took it that the Committee wished the matter to be considered initially by an informal working group. In the meantime, he took it that the Committee agreed to appoint Mr. Samana (Papua New Guinea) as Chairman of the Subcommittee and Mrs. Khan-Cummings (Trinidad and Tobago) as Vice-Chairman/Rapporteur of the Subcommittee.

40. It was so decided.

41. Mrs. KHAN-CUMMINGS (Trinidad and Tobago) observed that she needed her Government's approval before giving her final acceptance.

42. The CHAIRMAN said that he took it that the Committee approved the suggested allocation of items and procedure for their consideration outlined in document A/AC.109/L.1841, paragraphs 2 and 3, with appropriate modifications as warranted.

43. It was so decided.

44. The CHAIRMAN, recalling that the Subcommittee was scheduled to meet in May to complete consideration of the items allocated to it, requested it to make optimum use of the limited time available to it.

45. He suggested that, since some of the past recommendations of the Working Group had enabled the Committee to improve its efficiency in the light of developments in the Non-Self-Governing Territories, the Working Group should continue to study and recommend ways of expediting the Committee's work.

46. Mr. CHTCHERBAK (Russian Federation) asked when the Working Group would hold its meetings. He proposed that it should do so in the second half of March, before the beginning of the Committee session, so that it would have an opportunity to deal with all substantive questions.

47. The CHAIRMAN said that he took it members wished to engage in consultations on that proposal.

48. It was so decided.

49. The CHAIRMAN observed that the Committee would hold a summer session to complete its work and that he intended in the meantime to continue informal consultations with Committee members and other interested parties on a number of pending questions. The Committee would also hold plenary meetings in July whenever necessary to take decisions formally on a number of issues and would complete its work before the end of that month. He asked members to exercise initiative and discretion in finding ways to curtail documentation requirements, in full cooperation with the Organization's efforts in that regard.

50. He drew attention to paragraphs 8 to 10 of document A/AC.109/L.1841 relating to the utilization of conference-servicing resources. It was his intention to convene Committee meetings on time, and he was relying on the full cooperation of all members in that regard.

51. As regarded invitations extended to the Committee, he suggested that it should authorize him to hold appropriate consultations concerning any Committee participation, and the level of representation, in other meetings.

52. Mr. SAMANA (Papua New Guinea) asked whether there was any consensus regarding the timing of the Committee meetings. Cuba had proposed August, and the Russian Federation had proposed June as a compromise. Given the importance of full participation by petitioners and the problem of the financial situation, it would be better to meet earlier to avoid times of peak demand on United Nations resources and facilities; therefore, he would favour June.

53. The CHAIRMAN said that he took it members wanted to engage in further consultations on the matter.

54. It was so decided.

The meeting rose at 12.20 p.m.